

APPENDIX A

Independent claims 52 and 309 of the '938 Patent and independent claims 1 and 90 of the '366 Patent are produced below, with the data collection/selection elements of the claim in yellow, the communication generation elements in green, and the communication delivery elements in blue.¹ This shading illustrates that the asserted claims are directed to abstract ideas related to document preparation and delivery, which do not satisfy the *Bilski* requirements.

| '938 Patent | |
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| <p>52. A method for automatically preparing customized communications for a plurality of consumer entities, and replying to responses from consumer entities with customized replies, the method comprising:</p> <p>automatically preparing a mass marketing customized communication for each consumer entity, said communication comprising information relating to an offering for one or more financial products or services being offered as part of a mass marketing campaign;</p> <p>delivering each communication to a respective one of the plurality of consumer entities;</p> <p>receiving one or more responses from at least some consumer entities, said responses comprising nonpurchase requests and being in response to communications;</p> <p>automatically generating one or more replies for at least some of the responses or subsequent responses, each of said replies being generated prior to receipt from a consumer entity of a purchase commitment of said one or more financial products or services being offered as part of said mass marketing campaign, each reply customized for a consumer entity using other than one or more of name, address and account number of said consumer entity, and responsive to a nonpurchase request received from said consumer entity; and</p> <p>delivering said replies to associated consumer entities.</p> | <p>309. A system for automatically preparing customized communications for consumer entities, and replying to responses from consumer entities with customized replies, comprising:</p> <p>means for automatically preparing a plurality of customized mass marketing communications, each communication comprising information relating to an offering for one or more financial products or services being offered as part of a mass marketing campaign;</p> <p>means for appending each communication to a host communication to form a plurality of combined communications;</p> <p>means for delivering each combined communication to a consumer entity;</p> <p>means for receiving one or more responses from at least some consumer entities, said responses comprising nonpurchase requests and being in response to combined communications</p> <p>means for automatically generating one or more replies to at least some of the responses or subsequent responses, each of said replies being generated prior to receipt from a consumer entity of a purchase commitment of said one or more financial products or services being offered as part of said mass marketing campaign, each reply customized for a consumer entity using other than one or more of name, address and account number of said consumer entity, and responsive to a nonpurchase request received from said consumer entity; and</p> <p>means for delivering the replies to associated consumer entities.</p> |
| '366 Patent | |
| <p>1. A method of preparing personalized communication documents for a plurality of consumer entities, the</p> | <p>90. A system for preparing personalized communication documents for a plurality of consumer entities</p> |

¹ When printed in black and white, data collection/selection elements in yellow will show up as a light shade of gray, communication generation elements in green will show up as a dark shade of gray, and communication delivery elements in blue will show up in a medium shade of gray.

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| <p>method comprising the steps of:</p> <ul style="list-style-type: none"> a) providing financial product and/or financial service content for the personalized communication documents, which financial product and/or financial service content includes a first set of alternative descriptions, characteristics and/or identifications associated with at least a first financial product and/or financial service; b) automatically preparing a personalized communication document for a plurality of consumer entities with a computing system, each personalized communication document including an identifying section adapted to present identifying content to identify a consumer entity from the plurality of consumer entities, and a separate personalized section adapted to present at least some personalized content relating to an offering for said consumer entity of said first financial product and/or financial service; wherein said personalized content presented for said offering includes at least one or more of said first set of alternative descriptions, characteristics and/or identifications associated with said at least first financial product and/or financial service; c) automatically generating successive personalized communication documents with said computing system, wherein at least one personalized section includes personalized content with respect to at least said first financial product and/or financial service different from a second personalized content prepared for a second consumer entity. | <p>comprising:</p> <ul style="list-style-type: none"> a computing system;² one or more electronic databases coupled to the computing system; one or more software routines executing on the computer system which are adapted to: <ul style="list-style-type: none"> a) retrieve financial product and/or financial service content for the personalized communication documents from said one or more electronic databases, which financial product and/or financial service content includes a first set of alternative descriptions, characteristics and/or identifications associated with at least a first financial product and/or financial service; b) automatically prepare a personalized communication document for a plurality of consumer entities, said personalized communication document including an identifying section adapted to present identifying content to identify a consumer entity from the plurality of consumer entities, and a separate personalized section adapted to present at least some personalized content relating to an offering for said consumer entity of said first financial product and/or financial service; wherein said personalized content presented for said offering includes at least one or more of said first set of alternative descriptions, characteristics and/or identifications associated with said at least first financial product and/or financial service; c) automatically generate successive personalized communication documents, wherein at least one personalized section includes personalized content with respect to at least said first financial product and/or financial service different from a second personalized content prepared for a second consumer entity. |
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² As discussed supra at 9-12, the “computing system,” “electronic databases,” and “software routines” referenced in the system claims of the ‘366 Patent are merely citations to general purpose computers, which do not qualify as patentable subject matter.